

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

**IN RE:**

**JOSHUA LEE SANDERFORD,  
LINDSEY SHANNON SANDERFORD,**

**CASE NO. 21-01064-5-SWH  
CHAPTER 13**

**DEBTORS**

**DEBTORS' VERIFIED MOTION TO EXTEND AUTOMATIC STAY**

Now come the Debtors, by and through counsel, and move this court to order, under 11 U.S.C. § 362(c)(3), that the full protections of the automatic stay be extended in this case until terminated under 11 U.S.C. § 362(c)(1) or (2), or until further order of the court. In support of this motion, the Debtors show the court as follows:

1. The Debtors filed the above-captioned case on May 6, 2021.

2. On September 4, 2019, the Debtors filed a prior chapter 13 case bearing the assigned Case No. 19-04068-5-SWH, in the Eastern District of North Carolina. The court dismissed that case on December 4, 2020. The dismissal of the prior case was because of the following (*mark all that apply*):

- ☐ Debtors' immediate family incurred significant medical expenses;
- ☒ Debtor or debtors lost job/ had hours reduced/had wages reduced: Mr. Sanderford's job at Autozone began to decrease in hours after the impact of Covid-19 shutdowns and lockdowns. In May 2020 he was laid-off from Autozone and was without pay. The plan payments fell behind and the debtors could never catch-up to keep the plan going in the prior case. Mrs. Sanderford was earning some income driving with Uber before the coronavirus pandemic. After the pandemic came she had to stop driving with Uber because there was no business and because she did not want to possibly be exposed to the virus.
- ☐ Debtors incurred a significant expense on primary residence;
- ☐ Debtors incurred a significant expense on primary vehicle;
- ☐ Debtors were owed money by a third party (such as child support, alimony, worker's compensation) and was not paid (*if so, list source of money \**);
- ☐ Debtors incurred a significant expense related to a dependent (*if so, provide details*): \*
- ☐ Other \*

3. The Debtors' circumstances have substantially changed because (*mark all that apply*):

- ☒ Debtors now have new income in the form of additional work hours, an additional job, additional wages from previous job, and/or a new job. Provide details: Mr. Sanderford is receiving weekly unemployment compensation ("UC") of \$650.00, and he has had several interviews for full-time employment. The UC runs through August 2021 and is sufficient for them to make plan payments until Mr. Sanderford is hired for new employment. Mrs. Sanderford plans to return to driving with Uber when the pandemic subsides.
- ☐ Debtors now have new income in the form of monetary assistance from a third party individual (*provide details*): \*
- ☐ Debtors now have new income in the form of monetary assistance from a third party organization (*provide details*): \*
- ☐ Debtors now have more available income in the form of reduced expenses (*provide details*): \*
- ☒ Other: There is a substantial amount of equity in their residence.

4. As required by E.D.N.C. LBR 4001-1 (d)(1), this motion (*mark appropriate box*)

- ☒ is filed within five (5) days of the petition date
- ☐ is NOT filed within five (5) days of the petition date.

5. The Debtors have demonstrated by clear and convincing evidence that the current case is filed in good faith. The Debtors' circumstances have substantially changed so that the reason for dismissal in the prior case is not likely to recur and this case can be completed.

Wherefore, the Debtors pray for the court to enter an order extending the automatic stay as to all creditors until it would terminate under 11 U.S.C. §§ 362(c)(1) or (2), or until further order of the court, and for such further relief as the court deems just and appropriate.

Dated: May 6, 2021.

/s/Travis Sasser

Travis Sasser

Attorney for Debtors

Sasser Law Firm

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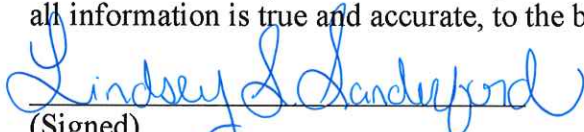
DECLARATION

Under penalty of perjury, I, **Joshua Lee Sanderford**, hereby certify that I have personal knowledge of all the information contained in the pleading above and all information is true and accurate, to the best of my knowledge.

  
(Signed)

**Joshua Lee Sanderford,**

Under penalty of perjury, I, Under penalty of perjury, I, **Lindsey Shannon Sanderford**, hereby certify that I have personal knowledge of all the information contained in the pleading above and all information is true and accurate, to the best of my knowledge.

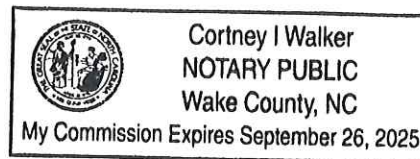
  
(Signed)

**Lindsey Shannon Sanderford,**

Sworn and subscribed to me this the 6th day of May, 2021.

  
Notary Public

Notary Seal



**END OF DOCUMENT**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

**IN RE:**

**JOSHUA LEE SANDERFORD,  
LINDSEY SHANNON SANDERFORD,**

**CASE NO. 21-01064-5-SWH  
CHAPTER 13**

**DEBTORS**

**NOTICE OF MOTION**

NOTICE IS HEREBY GIVEN that a Motion to Continue Automatic Stay has been filed by the Debtors. A copy of the motion accompanies this notice.

TAKE NOTICE FURTHER that pursuant to the Local Rules of the United States Bankruptcy Court for the Eastern District of North Carolina, you have fourteen (14) days from the date of this Notice of Motion to file a responsive pleading to the attached Motion. If a response is filed, a hearing on this motion will be heard at the United States Bankruptcy Court, Eastern District of North Carolina, Raleigh Division located at the Century Station Federal Building, 300 Fayetteville Street, Raleigh, North Carolina 27601 in **the 2<sup>nd</sup> Floor Courtroom starting at 10:00 AM on May 26, 2021.** You must file your response with the Clerk, United States Bankruptcy Court, Post Office Box 791, Raleigh, NC 27602 with a copy to the undersigned. Any such responsive pleading must contain a request for a hearing if, indeed, you wish to be heard by the Court. Unless a hearing is specifically requested in a responsive pleading, the attached Motion may be determined and final Orders entered by the court without a hearing.

Dated: May 7, 2021.

/s/ Travis Sasser

Travis Sasser

Attorney for Debtors

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### **CERTIFICATE OF SERVICE**

The foregoing Debtors' Motion to be served on the following parties, by mailing a copy by depositing it in the United States Mail, by First Class Mail, in a properly addressed envelope with adequate postage thereon.

John F. Logan, Chapter 13 Trustee  
***Served Electronically***

Joshua Lee Sanderford  
Lindsey Shannon Sanderford  
1245 New Bethel Road  
Garner, NC 27529

*ALL PARTIES ON THE ATTACHED MAILING MATRIX via U.S. Mail.*

Dated: May 7, 2021.

/s/ Travis Sasser  
Travis Sasser  
Attorney for Debtors  
State Bar No. 26707  
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Amerifinancial Solutions  
Attn: Managing Agent/Bankruptcy  
Post Office Box 65018  
Baltimore, MD 21264-5018

Capital One  
Attn: Managing Agent/Bankruptcy  
Post Office Box 30285  
Salt Lake City, UT 84130-0285

Citi  
Attn: Managing Agent/Bankruptcy  
PO Box 6403  
Sioux Falls, SD 57117-6403

Discover Bank Discover Products Inc  
Attn: Managing Agent/Bankruptcy  
Post Office Box 3025  
New Albany, OH 43054-3025

Horizon Family Medicine  
Attn: Managing Agent/Bankruptcy  
PO Box 650249  
Dallas, TX 75265-0249

Internal Revenue Service  
Centralized Insolvency Operations  
P. O. Box 7346  
Philadelphia, PA 19101-7346

Johnston Memorial Hospital  
Attn: Managing Agent/Bankruptcy  
PO Box 1376  
Smithfield, NC 27577-1376

Kohl's/Capital One  
Attn: Managing Agent/Bankruptcy  
PO Box 3043  
Milwaukee, WI 53201-3043

NC Department of Revenue  
Office Serv. Div., Bankruptcy Unit  
Post Office Box 1168  
Raleigh, NC 27602-1168

Nodell, Glass & Haskell  
5540 Centerview Drive  
Suite 416  
Raleigh, NC 27606-3369

North American Credit Services  
Attn: Managing Agent  
2810 Walker Road, Suite 100  
Chattanooga, TN 37421-1667

One Main Financial  
Attn: Managing Agent/Bankruptcy  
PO Box 6042  
Sioux Falls, SD 57117-6042

Optimum Outcomes  
Attn: Managing Agent/ Bankruptcy  
PO BOX 58015  
Raleigh, NC 27658-8015

SYNCB/PayPal Credit Services  
Attn: Managing Agent/Bankruptcy  
Post Office Box 960080  
Orlando, FL 32896-0080

SYNCB/Walmart  
Attn: Managing Agent/Bankruptcy  
PO Box 965024  
Orlando, FL 32896-5024

Solid Oak Funding  
Attn: Managing Agent/Bankruptcy  
Post Office Box 12101  
Santa Rosa, CA 95406-2101

Spot Loans  
Attn: Managing Agent/ Bankruptcy  
Post Office Box 720  
Belcourt, ND 58316-0720

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C O AMERICAN INFOSOURCE  
4515 N SANTA FE AVE  
OKLAHOMA CITY OK 73118-7901

State Employees' Credit Union  
Attn: Managing Agent/Bankruptcy  
PO Box 25279  
Raleigh, NC 27611-5279

Time Financing  
Attn: Managing agent  
1822 South Glenburnie Road  
New Bern, NC 28562-5261

Time Warner Cable  
Division Collection Group  
101 Innovation Drive, Ste 100  
Morrisville, NC 27560-8586

UNC Health Care  
Attn: Managing Agent  
211 Friday Center Drive, Ste2015  
Chapel Hill, NC 27517-9499

Wake Emergency Physicians  
Attn: Managing Agent/Bankruptcy  
PO Box 890053  
Charlotte, NC 28289-0053

Wake Med  
Attn: Managing Agent/Bankruptcy  
3000 New Bern Avenue  
Raleigh, NC 27610-1245

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Office Of The Chapter 13 Trustee  
PO Box 61039  
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